

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 24, 2004

DIVISION TWO

B176763 People (Not for Publication)
v.
Lomeli

The Court:

The order under review is affirmed.

Boren, P.J., Nott, J., Doi Todd, J.

B170944 People (Not for Publication)
v.
Simon

The judgment is modified to strike the order imposing laboratory analysis fee of \$100, with its penalty assessment of \$200. The judgment is modified to provide for a criminal laboratory analysis fee of \$50 (Health & Saf. Code, § 11372.5) and penalty assessments of respectively, \$50 (Pen. Code, § 1464) and \$35 (Gov. Code, § 76000). As modified, the judgment is affirmed. The trial court shall prepare an amended abstract of judgment including the above amounts and forward a certified copy of the amended abstract of judgment to the Department of Corrections.

Doi Todd, J.

We concur: Nott, Acting P.J.
Ashmann-Gerst, J.

DIVISION TWO (Continued)

B169352 People (Not for Publication)
v.
Izaguirre

The judgment is modified to impose and stay the 10-year enhancements under section 12022.53, subdivision (b) on counts 1 through 4, to impose and stay the 20-year enhancements under section 12022.53, subdivision (c) on counts 1 and 2, to strike the enhancement allegations under section 12022.55 on counts 1 and 2, and to strike the enhancement allegation under section 12022.7 on count 2. In all other respects, the judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect the award of 549 days of presentence custody credit.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B172078 Gorwin (Not for Publication)
v.
Schmidt

The judgment of dismissal and the May 8, 2003 order awarding sanctions in the amount of \$405 are affirmed. The April 29, 2003 order awarding sanctions in the amount of \$2,523.28 and the May 21, 2003 order awarding sanctions in the amount of \$504 are reversed. The parties shall bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

November 24, 2004 (Continued)

DIVISION TWO (Continued)

B168574 People (Not for Publication)
v.
Yundall

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B171283 People
v.
Boulware

Filed order denying petition for rehearing.

DIVISION FIVE

B173932 People (Not for Publication)
v.
Donnell Moore, Jr.

The presentence conduct credits award is vacated. The Penal Code section 12022.53 subdivision (b) and (c) 10 and 20-year enhancements are ordered imposed and stayed. As modified, the judgment is affirmed.

Mosk, J.

I concur: Grignon, J.
I concur and dissent: Turner, P.J. (Opinion)

November 24, 2004 (Continued)

DIVISION FIVE (Continued)

B168000 Kenneth Goldshine
v.
John Lafferty

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

B173466 People (Not for Publication)
v.
Romero

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B172054 People (Not for Publication)
v.
Frangie

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SIX (Continued)

We concur: Gilbert, P.J.
Coffee, J.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

November 24, 2004 (Continued)

DIVISION SEVEN

B171211 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Gilbert S.

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
 Zelon, J.